



The following documentation is an electronically-submitted vendor response to an advertised solicitation from the *West Virginia Purchasing Bulletin* within the Vendor Self-Service portal at *wvOASIS.gov*. As part of the State of West Virginia's procurement process, and to maintain the transparency of the bid-opening process, this documentation submitted online is publicly posted by the West Virginia Purchasing Division at *WVPurchasing.gov* with any other vendor responses to this solicitation submitted to the Purchasing Division in hard copy format.

## Header 1

List View

### General Information

Contact

Default Values

Discount

Document Information

Procurement Folder: 639123

Procurement Type: Central Master Agreement

Vendor ID: 000000204555

Legal Name: MCCOURT & SON CONSTRUCTION INC

Alias/DBA:

Total Bid: \$149,300.00

Response Date: 11/07/2019

Response Time: 16:10

SO Doc Code: CRFQ

SO Dept: 0313

SO Doc ID: DEP2000000013

Published Date: 10/28/19

Close Date: 11/8/19

Close Time: 13:30

Status: Closed

Solicitation Description: OSR North Sludge Pumping Open-End

Total of Header Attachments: 1

Total of All Attachments: 1



Purchasing Division  
 2019 Washington Street East  
 Post Office Box 50130  
 Charleston, WV 25305-0130

**State of West Virginia  
 Solicitation Response**

**Proc Folder :** 639123  
**Solicitation Description :** OSR North Sludge Pumping Open-End  
**Proc Type :** Central Master Agreement

Date issued	Solicitation Closes	Solicitation Response	Version
	2019-11-08 13:30:00	SR 0313 ESR11071900000002878	1

<b>VENDOR</b>
000000204555 MCCOURT & SON CONSTRUCTION INC

**Solicitation Number:** CRFQ 0313 DEP2000000013

**Total Bid :** \$149,300.00      **Response Date:** 2019-11-07      **Response Time:** 16:10:07

**Comments:**

**FOR INFORMATION CONTACT THE BUYER**  
 Brittany E Ingraham  
 (304) 558-2157  
 brittany.e.ingraham@wv.gov

<b>Signature on File</b>	<b>FEIN #</b>	<b>DATE</b>
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All offers subject to all terms and conditions contained in this solicitation

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	Mobilization/Demobilization	40.00000	EA	\$85.000000	\$3,400.00

Comm Code	Manufacturer	Specification	Model #
76121603			

**Extended Description :** Mobilization/Demobilization

The Pricing Pages contain a list of the Contract Items and estimated Purchase volume. The estimated purchase volume for each item represents the approximate volume of anticipated purchases only. No future use of the Contract or any individual item is guaranteed or implied.

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
2	Setup and Dismantle of 6 inch pumps	40.00000	EA	\$85.000000	\$3,400.00

Comm Code	Manufacturer	Specification	Model #
76121603			

**Extended Description :** Setup and Dismantle of 6 inch Pumps Any persons involved in the setup and dismantle of pumps, not including the pump operator, shall be incidental to this item.

The Pricing Pages contain a list of the Contract Items and estimated Purchase volume. The estimated purchase volume for each item represents the approximate volume of anticipated purchases only. No future use of the Contract or any

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
3	Trash Pump(s) 6 inch Dia. Gas a/o DSL powered	600.00000	HOUR	\$165.000000	\$99,000.00

Comm Code	Manufacturer	Specification	Model #
76121603			

**Extended Description :** Trash Pump(s) 6 inch Dia. Gas a/o DSL powered with trailer mounting. Any persons involved in the setup and dismantle of pumps, not including the pump operator, shall be incidental to this item.

The Pricing Pages contain a list of the Contract Items and estimated Purchase volume. The estimated purchase volume for each item represents the approximate volume of anticipated purchases only. No future use of the Contract or any

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
4	High Head Trash Pump 6 inch Dia. Gas a/o DSL powered	200.00000	HOUR	\$195.000000	\$39,000.00

Comm Code	Manufacturer	Specification	Model #
76121603			

**Extended Description :** High Head Trash Pump 6 inch Dia. Gas a/o DSL powered with trailer mounting. Any persons involved in the setup and dismantle of pumps, not including the pump operator, shall be incidental to this item.

The Pricing Pages contain a list of the Contract Items and estimated Purchase volume. The estimated purchase volume for each item represents the approximate volume of anticipated purchases only. No future use of the Contract or any

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
5	Water Pump(s) 3 inch Dia. Gas a/o DSL powered	100.00000	HOUR	\$45.000000	\$4,500.00

Comm Code	Manufacturer	Specification	Model #
76121603			

**Extended Description :** Water Pump(s) 3 inch Dia. Gas a/o DSL powered.  
Any persons involved in the setup and dismantle of pumps, not including the pump operator, shall be incidental to this item.  
The Pricing Pages contain a list of the Contract Items and estimated Purchase volume. The estimated purchase volume

**DESIGNATED CONTACT:** Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

Tommy McCourt, President  
(Name, Title)  
Tommy McCourt, President  
(Printed Name and Title)  
5602 Centralia Rd, Sutton, WV. 260601  
(Address)  
304-765-5288 304-765-5293  
(Phone Number) / (Fax Number)  
sborggs@lumos.net  
(email address)

**CERTIFICATION AND SIGNATURE:** By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

McCourt & Son Construction, Inc.  
(Company)

Tommy McCourt  
(Authorized Signature) (Representative Name, Title)

Tommy McCourt, President  
(Printed Name and Title of Authorized Representative)

10/31/19  
(Date)

304-765-5288 304-765-5293  
(Phone Number) (Fax Number)

REQUEST FOR QUOTATION  
Sludge Pumping

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10. MISCELLANEOUS:

10.1. **Contract Manager:** During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact information below.

Contract Manager: Tommy McCourt

Telephone Number: 304-765-5288

Fax Number: 304-765-5293

Email Address: sboggs@lumos.net



**ADDENDUM ACKNOWLEDGMENT FORM**

**SOLICITATION NO. DER 20 713**

**INSTRUCTIONS:** Please acknowledge receipt of all addenda issued with this Solicitation by completing this Addendum Acknowledgment Form, uploading it, and submitting it electronically with your bid. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

**ACKNOWLEDGMENT:** I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans, specifications, and other applicable bid documents.

Addendum Numbers Received:  
(Check the box next to each addendum received)

- |                |                 |
|----------------|-----------------|
| Addendum No. 1 | Addendum No. 6  |
| Addendum No. 2 | Addendum No. 7  |
| Addendum No. 3 | Addendum No. 8  |
| Addendum No. 4 | Addendum No. 9  |
| Addendum No. 5 | Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further understand that any verbal representation made or assumed to be made during any oral discussion held between the Vendor's representatives and any Department personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

McCourt & Son Construction, Inc.  
Company

Jimmy McCourt  
Authorized Signature

10/31/19  
Date

**NOTE:** This addendum acknowledgment must be submitted with the bid to expedite document processing.



# CONTRACTOR LICENSE

Authorized by the

West Virginia Contractor Licensing Board

**Number:** WV001913

**Classification:**

MULTIFAMILY  
EXCAVATION  
STEEL ERECTION

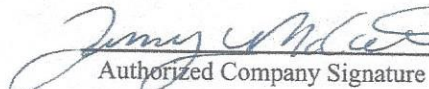
MCCOURT & SON CONSTRUCTION INC  
DBA MCCOURT & SON CONSTRUCTION INC  
5802 CENTRALIA RD  
SUTTON, WV 26601-3815

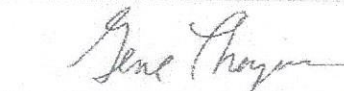
**Date Issued**

**Expiration Date**

AUGUST 21, 2019

AUGUST 21, 2020

  
Authorized Company Signature

  
Chair, West Virginia Contractor  
Licensing Board

WEST VIRGINIA  
CONTRACTOR  
LICENSING  
BOARD

This license, or a copy thereof, must be posted in a conspicuous place at every construction site where work is being performed. This license number must appear in all advertisements, on all bid submissions and on all fully executed and binding contracts. This license cannot be assigned or transferred by licensee. Issued under provisions of West Virginia Code, Chapter 21, Article 11.

West Virginia Ethics Commission  
**Disclosure of Interested Parties to Contracts**

(Required by W. Va. Code § 6D-1-2)

Name of Contracting Business Entity: McCart & Son Construction, Inc. Address: 5802 Centralia Rd. Sutton, WV 26001

Name of Authorized Agent: Tommy McCart Address: Same

Contract Number: DEP 20\*13 Contract Description: Sludge Pumping Open End North

Governmental agency awarding contract: WVDEP

Check here if this is a Supplemental Disclosure

List the Names of Interested Parties to the contract which are known or reasonably anticipated by the contracting business entity for each category below (attach additional pages if necessary):

1. Subcontractors or other entities performing work or service under the Contract

Check here if none, otherwise list entity/individual names below.

2. Any person or entity who owns 25% or more of contracting entity (not applicable to publicly traded entities)

Check here if none, otherwise list entity/individual names below. See Attached AVS

3. Any person or entity that facilitated, or negotiated the terms of, the applicable contract (excluding legal services related to the negotiation or drafting of the applicable contract)

Check here if none, otherwise list entity/individual names below.

Signature: Tommy McCart

Date Signed: 10/31/19

**Notary Verification**

State of WV, County of Braxton:

I, Tommy McCart, the authorized agent of the contracting business entity listed above, being duly sworn, acknowledge that the Disclosure herein is being made under oath and under the penalty of perjury.

Taken, sworn to and subscribed before me this 31 day of October, 2019.

Stephanie Boggs

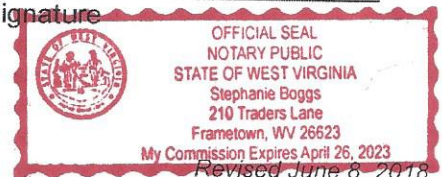
Notary Public's Signature

**To be completed by State Agency:**

Date Received by State Agency: \_\_\_\_\_

Date submitted to Ethics Commission: \_\_\_\_\_

Governmental agency submitting Disclosure: \_\_\_\_\_





ABANDONED MINE LANDS (AML) CONTRACTOR INFORMATION FORM

You must complete this form for your AML contracting officer to request an eligibility evaluation from the Office of Surface Mining Reclamation and Enforcement (OSMRE) to determine if you are eligible to receive an AML contract. This requirement applies to contractors and their sub-contractors and can be found under OSMRE's regulations at 30 CFR 874.16. **NOTE:** This form must be signed and **dated within 30 days** of submission to be considered for a current bid.

**Part A: General Information**

Business Name: McCourt & Son Construction, Inc.  
Tax ID #: 55-0624840  
Address: 5802 Centralia Rd  
City, State, & Zip: Sutton, WV 26601  
Phone Number: 304-765-5288  
Email Address: sboggs@lumos.net

**Part B: Obtain an Organizational Family Tree (OFT) from the Applicant Violator System (AVS)**

If you plan to certify the existing AVS information or submit updates under Part C, you must include an OFT. To obtain an OFT, you may contact the AVS Office at 800-643-9748 or from the AVS website at: <https://avss.osmre.gov/>. Instructions for how to download an OFT from the AVS can be found at: <https://www.osmre.gov/programs/AVS/aml-instructions.pdf>.

**Part C: Certifying and updating information in the AVS**

Select only one of the following options, follow the instructions for that option, and sign and date below.

I, Tommy McCourt, have express authority to certify that:  
(Print Name)

1. Our business is in the AVS and is accurate, complete, and up-to-date. If you select this option, you must attach an Entity OFT from the AVS to this form. Do not complete Part D.
2. Our business is in the AVS but needs to be updated. If you select this option you must attach an Entity OFT from the AVS to this form. Use Part D to provide the missing or corrected information.
3. Our business is not in the AVS and needs to be added. Complete Part D.

10/31/19  
Date

  
Signature

President  
Title



## AVS OFT Report - 2/11/2019 11:39:38 AM

All OFT's where the selected entity is listed as an entity or related entity

### Entity Selected (139788) Mccourt & Son Construction Inc

Parent Entity	Relationship	Description	Related Entity	% Ownership	Begin Date	End Date
(139788) Mccourt & Son Construction Inc	President		(139789) Tommy H Mccourt		2/14/1982	
(139788) Mccourt & Son Construction Inc	Shareholder		(139789) Tommy H Mccourt	50%	2/14/1982	
(139788) Mccourt & Son Construction Inc	Secretary		(139790) Lydia Mccourt		2/14/1996	
(139788) Mccourt & Son Construction Inc	Shareholder		(139790) Lydia Mccourt	50%	2/14/1996	
(139788) Mccourt & Son Construction Inc	Treasurer		(139790) Lydia Mccourt		2/14/1996	
(139788) Mccourt & Son Construction Inc	Vice President		(139791) James C Mccourt		2/14/1996	



STATE OF WEST VIRGINIA  
Purchasing Division

# PURCHASING AFFIDAVIT

**CONSTRUCTION CONTRACTS:** Under W. Va. Code § 5-22-1(i), the contracting public entity shall not award a construction contract to any bidder that is known to be in default on any monetary obligation owed to the state or a political subdivision of the state, including, but not limited to, obligations related to payroll taxes, property taxes, sales and use taxes, fire service fees, or other fines or fees.

**ALL CONTRACTS:** Under W. Va. Code §5A-3-10a, no contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

**EXCEPTION:** The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. Code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

**DEFINITIONS:**

**"Debt"** means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

**"Employer default"** means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

**"Related party"** means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

**AFFIRMATION:** By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that: (1) for construction contracts, the vendor is not in default on any monetary obligation owed to the state or a political subdivision of the state, and (2) for all other contracts, that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

**WITNESS THE FOLLOWING SIGNATURE:**

Vendor's Name: McCourt & Son Construction, Inc.

Authorized Signature: Jimmy McCourt Date: 10/31/19

State of WV

County of Bozeman, to-wit:

Taken, subscribed, and sworn to before me this 31 day of October, 2019

My Commission expires April 26, 2023.

AFFIX SEAL HERE



NOTARY PUBLIC

Stephanie Boggs

Purchasing Affidavit (Revised 01/19/2018)



State of West Virginia  
**DRUG FREE WORKPLACE CONFORMANCE AFFIDAVIT**  
**West Virginia Code §21-1D-5**

STATE OF WEST VIRGINIA,  
COUNTY OF Braxton, TO-WIT:

I, Tommy McCourt, after being first duly sworn, depose and state as follows:

- I am an employee of McCourt & Son Construction, Inc.  
(Company Name)
- I do hereby attest that McCourt & Son Construction, Inc.  
(Company Name)

maintains a written plan for a drug-free workplace policy and that such plan and policy are in compliance with **West Virginia Code §21-1D.**

The above statements are sworn to under the penalty of perjury.

Printed Name: Tommy McCourt  
 Signature: *Tommy McCourt*  
 Title: President  
 Company Name: McCourt & Son Construction, Inc.  
 Date: 10/31/19

Taken, subscribed and sworn to before me this 31 day of October, 2019.

By Commission expires April 26, 2023

(Seal)



*Stephanie Boggs*  
(Notary Public)